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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

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**IN RE TRANSPACIFIC PASSENGER  
AIR TRANSPORTATION ANTITRUST  
LITIGATION**

Master File No. C 07-5634-CRB

MDL NO. 1913

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**This Document Relates To:**

**ALL ACTIONS**

**STIPULATION AND ORDER  
REGARDING WITHDRAWAL OF  
SINGAPORE AIRLINES LIMITED'S  
MOTION FOR SUMMARY JUDGMENT  
ALL CLAIMS IN THE SECOND  
AMENDED CONSOLIDATED CLASS  
ACTION COMPLAINT**

1 Plaintiffs and Defendant Singapore Airlines Limited (“SIA”) hereby agree and  
2 stipulate as follows:

3 WHEREAS Defendants Air New Zealand Ltd., Cathay Pacific Airways Ltd.,  
4 China Airlines, Ltd., EVA Airways Corp., Philippine Airlines, Inc., Qantas Airways Limited,  
5 Singapore Airlines Limited, and Thai Airways filed a joint brief for summary judgment  
6 based on the Filed Rate Doctrine on September 10, 2013 (Dkt. No. 728);

7 WHEREAS, SIA filed an individual motion for summary judgment and  
8 supporting briefs based on the Filed Rate Doctrine (Dkt. Nos. 786, 786-1, 787 and 787-1  
9 through 787-6);

10 WHEREAS, Plaintiffs and SIA, by and through their counsel, have since entered  
11 into a Settlement Agreement;

12 WHEREAS, Plaintiffs intend to seek an order preliminarily approving the  
13 Settlement Agreement at an appropriate time convenient to the Court and counsel for the  
14 parties;

15 WHEREAS, Plaintiffs and SIA believe it would be more efficient to withdraw  
16 SIA’s motion for summary judgment on the Filed Rate Doctrine pending the Court’s  
17 determination of Plaintiffs’ forthcoming motion seeking approval of the Settlement  
18 Agreement;

19 NOW THEREFORE, the Parties agree and stipulate as follows:

20 1. SIA withdraws from the joint brief for summary judgment based on the Filed Rate  
21 Doctrine (Dkt. No. 728);  
22 2. SIA withdraws its motion for summary judgment and supporting declarations based  
23 on the Filed Rate Doctrine Dkt. Nos. 786, 786-1, 787 and 787-1 through 787-6;

3. If SIA is not dismissed from the case as a result of the Settlement Agreement, SIA shall be permitted to reinstate its motion for summary judgment and the motion's accompanying papers based on the Filed Rate Doctrine, as well as file a reply brief and accompanying papers, which it did not file on July 30, 2014 due to the Settlement Agreement. Such reply brief shall be subject to the limitations previously ordered by the Court.

## SO STIPULATED.

August 13, 2014

LATHAM & WATKINS LLP

*/s/ William R. Sherman*

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August 13, 2014

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1 August 13, 2014

**HAUSFELD LLP**

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7 *Interim Co-Lead Counsel for Plaintiffs*

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10 PURSUANT TO STIPULATION, IT IS SO ORDERED:

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12 DATE: August 15, 2014

